

## REMARKS

Claim 18 has been amended by specifically excluding certain mixtures that had already been excluded in claim 17, from which claim 18 depends in order to make it clear that claim 18 was not attempting to broaden claim 17. No new matter has been added.

**Claims 17 to 37 have been rejected under the judicially created doctrine of obviousness-type double patenting of claims 1-13 of US Patent No. 6,586,367.**

Applicant files herewith a terminal disclaimer. Applicant respectfully submits that the obviousness-type double patenting rejection has been overcome and hereby request that this application be passed to issue.

As this response is submitted within six (6) months from the mailing date of the Office Action, a three (3) -month extension of time is included herewith.

However, in the event the undersigned is mistaken in his calculations, an appropriate extension of time to respond is respectfully requested, and the Commissioner is authorised to debit the appropriate fee for that extension, or any other fee, from the deposit account of the undersigned, no 50-1676 in the name of Syngenta Crop Protection, Inc.

Respectfully submitted,

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